

REMARKS

Applicants request favorable reconsideration of this application in view of the foregoing amendments and the following remarks. Of claims 1-20 that were pending in the application, claims 1-5, 8-10, 12-14, 16, and 17 were rejected in the Office Action. Applicants appreciate the allowance of claims 18-20 and the positive indication of allowable subject matter in claims 6, 7, 11, and 15. In response to this positive indication, claim 6 (*i.e.*, the claim from which claim 7 and 11 depend) and claim 15 have been amended to be in independent claim format and to correct the format thereof (*e.g.*, “being” has been amended to “is configured to be”). In addition, Applicants have also: (a) amended claims 1, 4, 6, 8, 13, and 16; and (b) cancelled claims 3 and 14, without prejudice or disclaimer. As a result of the foregoing, claims 1, 2, 4-13, and 15-20 are respectfully presented for further consideration.

1. Rejection of Claims 1-5, 8-10, 12-14, 16, and 17

The Examiner rejected claims 1-5, 8-10, 12-14, 16, and 17 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,306,057 (“Morisawa”). Preliminarily, this rejection is now moot with respect to claims 3 and 14, as the subject matter previously recited in these claims has been added to claims 1 and 13, respectively. Accordingly, the rejection will be addressed, and respectfully traversed, with respect to claims 1, 2, 4, 5, 8-10, 12, 13, 16, and 17

A. Rejection of Claims 1, 2, 4, 5, 8-10, and 12

Claim 1, which has been amended to recite the limitations of claim 3, recites a drive apparatus for a hybrid vehicle. This drive apparatus includes, among other possible things (*italic emphasis added*):

- an internal combustion engine;
- a damper connected on one side thereof to a rear of the engine;
- a motor-generator connected on one side thereof to another side of the damper, the motor-generator being capable of starting the engine;
- a magnetic clutch* connected on one side thereof to another side of the motor-generator;
- a transmission connected to the internal combustion engine via the damper, the motor-generator, and the clutch; and
- a starter motor connected to the damper, the starter motor being capable of starting the engine;

wherein the clutch is configured to engage by electromagnetic force,
and
wherein a dividing wall of magnetic material is disposed between the motor-generator and the magnetic clutch.

As hereafter explained Morisawa fails to teach or suggest such a drive apparatus.

The Examiner correctly indicates that Morisawa teaches a clutch 17. Morisawa's clutch 17 is a multi-disc clutch that is hydraulically controlled. *See, e.g.*, col. 6, lines 30-49. Moreover, even when discussing alternative structures, Morisawa fails to teach or suggest using a magnetic clutch rather than a hydraulic clutch. *See* col. 13, lines 51-59; col. 15, lines 5-9. In contrast to Morisawa's hydraulic clutch 17, the clutch that is recited in claim 1 is a magnetic clutch. Support for claim 1's recitation of a "magnetic clutch" is readily provided by the magnetic clutch 30 discussed throughout the specification. *See, e.g.*, ¶¶ [0015]-[0017].

As Morisawa fails to teach or suggest a magnetic clutch, Morisawa can not be used to reject claim 1, or any claim dependent thereon, under 35 U.S.C. § 102(b). Moreover, as claims 2, 4, 5, 8-10, and 12 depend from claim 1, each of these dependent claims is also allowable over Morisawa, without regard to the other patentable limitations recited therein. Accordingly, a withdrawal of the rejection of claims 1, 2, 4, 5, 8-10, and 12 is both warranted and earnestly solicited.

B. Rejection of Claims 13, 16, and 17

Claim 13, which has been amended to recite the limitations of claim 14, recites a drive apparatus for a vehicle, which includes, among other possible things, an engine and a transmission. This drive apparatus includes, among other possible things (*italic emphasis added*):

- a battery;
- damping means for reducing transmitted vibration, the damping means being disposed behind the engine;
- restarting means for restarting the engine under a predetermined set of conditions, the restarting means also serving to charge the battery, the restarting means being disposed behind the damping means;
- engaging means for allowing or interrupting power flow from the engine, wherein the engaging means is disposed behind the restarting means, and *wherein the engaging means comprises a magnetic clutch comprising:*
 - an electromagnet;*
 - a pilot clutch that is made to engage by the electromagnet; and*
 - a main clutch that is larger than the pilot clutch and that is made to engage under applied axial-direction thrust that has been transformed from engagement force of the pilot clutch, wherein the engagement force of the pilot clutch is transformed by a torque cam mechanism;*
- normal starting means for starting the engine under conditions other than the predetermined set of conditions;
- control means for controlling the engine, the normal starting means, the restarting means, the engaging means, and the transmission; and

preventative means for preventing the restarting means from electromagnetically influencing the magnetic clutch.

As hereafter explained Morisawa fails to teach or suggest such a drive apparatus.

In rejecting claim 14, the Office Action states: "Morisawa et al. disclose the engaging means comprising a magnetic clutch . . ." The Office Action, however, provides no support for this statement. Moreover, as previously discussed with respect to claim 1, Morisawa teaches a hydraulic clutch 17 rather than a magnetic clutch. Accordingly, as claim 13 (like claim 1) recites a magnetic clutch, Morisawa can not be used to reject claim 13, or any claim dependent thereon, under 35 U.S.C. § 102(b). Moreover, as claims 16 and 17 depend from claim 13, each of these dependent claims is also allowable over Morisawa, without regard to the other patentable limitations recited therein. Accordingly, a withdrawal of the rejection of claims 13, 16, and 17 is both warranted and earnestly solicited.

CONCLUSION

For the aforementioned reasons, claims 1, 2, 4-13, and 15-20 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED REGARDING THIS APPLICATION UNDER 37 C.F.R. §§ 1.16-1.17, OR CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 19-0741. SHOULD NO PROPER PAYMENT BE ENCLOSED HERewith, AS BY A CHECK BEING IN THE WRONG AMOUNT, UNSIGNED, POST-DATED, OTHERWISE IMPROPER OR INFORMAL OR EVEN ENTIRELY MISSING, THE COMMISSIONER IS AUTHORIZED TO CHARGE THE UNPAID AMOUNT TO DEPOSIT ACCOUNT NO. 19-0741. IF ANY EXTENSIONS OF TIME ARE NEEDED FOR TIMELY ACCEPTANCE OF PAPERS SUBMITTED HERewith, APPLICANT HEREBY PETITIONS FOR SUCH EXTENSION UNDER 37 C.F.R. § 1.136 AND AUTHORIZES PAYMENT OF ANY SUCH EXTENSIONS FEES TO DEPOSIT ACCOUNT NO. 19-0741.